

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

See Attached.

(b) County of Residence of First Listed Plaintiff Caldwell County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

See Attached

DEFENDANTS

See Attached.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

See Attached.

A07CA 426LY

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☒ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | PTF | DEF | PTF | DEF |
|---|---------------------------------------|--|--|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 Foreign Nation | <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input checked="" type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. § 1332 (Diversity of citizenship between citizens of different states where amount in controversy exceeds \$75,000)

Brief description of cause:

Product liability/Personal Injury action involving prescription drug Bextra®

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

June 1, 2007

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

LIST OF PARTIES AND ATTORNEYS

I. (a) Plaintiffs

Harold Walker
Jacqueline R. Walker

Defendants

Pfizer Inc. [incorrectly named as "Pfizer, Inc."]
Jacqueline Guerrero
Bob Davis
Jeanne Jalufka
Kyle M. Nelson
Jason D. Hahn
Robert G. Vial
Kathryn K. Truitt
Kari A. McLuhan
Reynaldo Riojas
Francisco Meza
Jack Barineau
Erica Zeplin
Deborah Quinones
W. Lance Goodson
Keely Rodriguez
Leah Silva
Daniel Ponce
Celeste Escobar
Jill Guidry
Daniel Townsend
Lynsey Adame

I. (c) LIST OF ATTORNEYS

ATTORNEYS FOR PLAINTIFF

Kathryn Snapka
State Bar No. 18781200
Greg W. Turman
State Bar No. 00785123
Rick B. Waterhouse, Jr.
State Bar No. 00788624
Aditi Anita Shahani
State Bar No. 24041898
SNAPKA, TURMAN & WATERHOUSE, L.L.P.
P.O. Drawer 23017
606 N. Carancahua, Suite 1511
Corpus Christi, Texas 78403
(361) 888-7676
(361) 884-8545 (Fax)

**ATTORNEYS FOR DEFENDANTS PFIZER INC., JEANNE L. JALUFKA, ROBERT G. VIAL,
ERICA ZEPLIN, W. LANCE GOODSON, and LYNSEY ADAME**

Kenneth J. Ferguson

Attorney-in-Charge

State Bar No. 06918100

Leslie A. Benitez

State Bar No. 02134300

Kelly R. Kimbrough

State Bar No. 00794984

J. Andrew Hutton

State Bar No. 24012878

CLARK, THOMAS & WINTERS

A PROFESSIONAL CORPORATION

P.O. Box 1148

Austin, Texas 78767

(512) 472-8800

(512) 474-1129 (Fax)

ATTORNEYS FOR ALL OTHER DEFENDANTS

Unknown at this time

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

RECEIVED

JUN 1 2007

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

Supplement to JS 44 Civil Cover Sheet
Cases Removed from State District Court

A07CA 426LY

This form must be filed with the Clerk's Office no later than the **first business day** following the filing of the Notice of Removal. Additional sheets may be used as necessary.

The attorney of record for the removing party **MUST** sign this form.

STATE COURT INFORMATION:

1. Please identify the court from which the case is being removed; the case number; and the complete style of the case.

Court: 421st Judicial District Court of Caldwell County, Texas

Case Number: 07-PI-168

Style: *Harold Walker and Jacqueline R. Walker v. Pfizer, Inc., Jacqueline Guerrero, Bob Davis, Jeanne L. Jalufka, Kyle M. Nelson, Jason D. Hahn, Robert G. Vial, Kathryn K. Truitt, Kari A. McLuhan, Reynaldo Riojas, Francisco Meza, Jack Barineau, Erica Zeplin, Deborah Quinones, W. Lance Goodson, Keely Rodriguez, Leah Silva, Daniel Ponce, Celeste Escobar, Jill Guidry, Daniel Townsend, and Lynsey Adame*

2. Was jury demand made in State Court? Yes ☒ No ☐

If yes, by which party and on what date?

- | | | |
|-----|---|---------------|
| (1) | Plaintiffs Harold Walker and Jacqueline R. Walker | April 9, 2007 |
| (2) | Defendant Pfizer Inc. | May 24, 2007 |
| (3) | Defendant Jeanne L. Jalufka | May 24, 2007 |
| (4) | Defendant Robert G. Vial | May 24, 2007 |
| (5) | Defendant Erica Zeplin | May 24, 2007 |
| (6) | Defendant Lynsey Adame | May 24, 2007 |
| (7) | Defendant W. Lance Goodson | May 25, 2007 |

Supplemental Cover Sheet**Page 2****STATE COURT INFORMATION:**

1. List all plaintiffs, defendants, and intervenors still remaining in the case. Also, please list the attorney(s) of record for each party named and include the attorney's firm name, correct mailing address, telephone number, and fax number (including area codes).

Party and Party Type**Attorney(s)**

Plaintiffs	Counsel
Harold Walker Jacqueline R. Walker	Kathryn Snapka State Bar No. 18781200 Greg W. Turman State Bar No. 00785123 Rick Waterhouse State Bar No. 00788624 Aditi Anita Shahani State Bar No. 24041898 SNAPKA, TURMAN & WATERHOUSE, L.L.P. P.O. Drawer 23017 606 N. Carancahua, Suite 1511 Corpus Christi, Texas 78403 (361) 888-7676 (361) 884-8545 (Fax)
Defendants	Counsel
Pfizer Inc. Jeanne L. Jalufka Robert G. Vial Erica Zeplin W. Lance Goodson Lynsey Adame	Kenneth J. Ferguson Attorney-in-Charge State Bar No. 06918100 Leslie A. Benitez State Bar No. 02134300 Kelly R. Kimbrough State Bar No. 00794984 J. Andrew Hutton State Bar No. 24012878 CLARK, THOMAS & WINTERS A PROFESSIONAL CORPORATION P.O. Box 1148 Austin, Texas 78767 (512) 472-8800 (512) 474-1129 (Fax)

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Defendants (cont.)	Counsel
Jacqueline Guerrero Bob Davis Kyle M. Nelson Jason D. Hahn Kathryn K. Truitt Kari A. McLuhan Reynaldo Riojas Francisco Meza Jack Barineau Deborah Quinones Keely Rodriguez Leah Silva Daniel Ponce Celeste Escobar Jill Guidry Daniel Townsend	Unknown at this time

2. List all parties that have not been served at the time of removal, and the reason(s) for non-service.

There is no record of service upon the following parties at the time of removal: Jacqueline Guerrero, Bob Davis, Kyle M. Nelson, Jason D. Hahn, Kathryn K. Truitt, Kari A. McLuhan, Reynaldo Riojas, Francisco Meza, Jack Barineau, Deborah Quinones, Keely Rodriguez, Leah Silva, Daniel Ponce, Celeste Escobar, Jill Guidry, and Daniel Townsend. The reason for non-service is unknown at this time.

3. List all parties that have been non-suited, dismissed, or terminated, and the reason(s) for their removal from the case.

None.

COUNTERCLAIMS, CROSS-CLAIMS, and/or THIRD-PARTY CLAIMS:

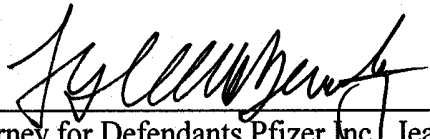
1. List separately each counterclaim, cross-claim, or third-party claim still remaining in the case and designate the nature of each such claim. For each counterclaim, cross-claim, or third-party claim, include all plaintiffs, defendants, and intervenors still remaining in the case. Also, please list the attorney(s) of record for each party named and include the attorney's firm name, correct mailing address, telephone number, and fax number (including area codes).

None.

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VERIFICATION:



Attorney for Defendants Pfizer Inc., Jeanne L. Jalufka
Robert G. Vial, Erica Zeplin, W. Lance Goodson,
and Lynsey Adame

June 1, 2007

Date

AO82
(Rev. 4/90)

ORIGINAL

406451

RECEIPT FOR PAYMENT
UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF TEXAS
 at Austin

RECEIVED FROM

Clark Thomas Winters
P.O. Box 1148
Austin Tx 78767

Fund	
6855XX	Deposit Funds
604700	Registry Funds
	General and Special Funds
508800	Immigration Fees
085000	Attorney Admission Fees
086900	Filing Fees
322340	Sale of Publications
322350	Copy Fees
322360	Miscellaneous Fees
143500	Interest
322380	Recoveries of Court Costs
322386	Restitution to U.S. Government
121000	Conscience Fund
129900	Gifts
504100	Crime Victims Fund
613300	Unclaimed Monies
510000	Civil Filing Fee (1/2)
510100	Registry Fee

ACCOUNT	AMOUNT
086900	600.00
570000	190.00
086400	100.00
TOTAL	350.00
Case Number or Other Reference	
1:07-cv-426	

New Case
Walker v. Pfizer

\$ Checks and drafts are accepted subject to collection and full credit will only be given when the check or draft has been accepted by the financial institution on which it was drawn.

DATE	6-1 2007	Cash	Check	M.O.	Credit	DEPUTY CLERK
			<input checked="" type="checkbox"/>			<i>[Signature]</i> c